

intended by the Applicants. There is no logical or scientific motivation for persons of ordinary skill in the art to use components to prepare an aqueous polyurethane dispersion and substitute them into Applicants claimed invention.

A high gloss polyurethane coating prepared from an aqueous dispersion is not equivalent to a moisture cured hot melt adhesive used to bond two or more substrates together forming a polyurethane according to the inventor and persons of average skill in the art. Applicants respectfully submit Examiner has not met his burden of establishing *prima facie* case of obviousness by pointing out a reasonable motivation for any one of skill in the art to use the teaching or suggestion within Jacobs to use components of water containing polyurethane dispersion and use them as components in Applicants hot melt adhesive that does not contain water. Further, Examiner has not met his burden to provide the motivation for using Jacobs and his reasoning to use Haensel ('457) of record is lacking and irrelevant. Applicants submits the invention as presented in amended claim 1 and 3, is patentable over Jacobs and Haensel of record.

Response to 35 U.S.C. § 103(a) Rejection of Claims 2 and 3

Claims 2 and 3 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Jacobs (U. S. Pat. No. 5,194,487) in view of Graham ('700) of record. Applicants respectfully traverse the rejection and submit Examiner has not met his burden of establishing *prima facie* case of obviousness by pointing out any teaching or suggestion within Jacobs to modify Jacobs high gloss coating to transform it to a useful adhesive for bonding two or more substrates together. Jacobs does not teach Applicants invention. Jacobs teaches a two component aqueous polyurethane dispersion with reduced solvent content that is used to prepare coatings having improved gloss. The aqueous components of Jacobs polyurethane dispersion would hydrolyze the isocyanates of Applicants not allowing it to function as a hot melt adhesive as intended by the Applicants. There is no logical or scientific motivation for persons of ordinary skill in the art to use components to prepare an aqueous polyurethane dispersion and substitute them into Applicants claimed invention. A high gloss polyurethane coating prepared from an aqueous

dispersion is not equivalent to a moisture cured hot melt adhesive used to bond two or more substrates together forming a polyurethane according to the inventor and persons of average skill in the art. Applicants respectfully submit Examiner has not met his burden of establishing *prima facie* case of obviousness by pointing out a reasonable motivation for any one of skill in the art to use the teaching or suggestion within Jacobs to use components of water containing polyurethane dispersion and use them as components in Applicants hot melt adhesive that does not contain water. Further, Examiner has not met his burden to provide the motivation for using Jacobs with Graham ('700) of record. Applicants submits the invention as presented in amended claim 1 and 3, is patentable over Jacobs and Graham of record.

Response to 35 U.S.C. § 103(a) Rejection of Claims 4

Claim 4 stands rejected under 35 U.S.C. 103(a) as being unpatentable over Jacobs (U. S. Pat. No. 5,194,487) in view of Graham ('700) of record and further in view of Haensel et al. (U. S. Pat. No. 5,162,457), and optionally further taken with Markush ('008) of record. Applicants respectfully traverse the rejection and submit Examiner has not met his burden of establishing *prima facie* case of obviousness by pointing out any teaching or suggestion within Jacobs, Graham, Haensel and optionally Markush to modify Jacobs high gloss coating to transform it to a useful adhesive for bonding two or more substrates together. Haensel *et al.* teaches a hot melt adhesive but does not teach all elements of Applicants invention in claim 4, particularly with respect to the low molecular weight limitation of the Applicants prepolymer. Jacobs teaches a two component aqueous polyurethane dispersion with reduced solvent content that is used to prepare coatings having improved gloss. The aqueous components of Jacobs polyurethane dispersion would hydrolyze the isocyanates of Applicants not allowing it to function as a hot melt adhesive as intended by the Applicants. There is no logical or scientific motivation for persons of ordinary skill in the art to use components to prepare an aqueous polyurethane dispersion and substitute them into Applicants claimed invention.

A high gloss polyurethane coating prepared from an aqueous dispersion is not equivalent to a moisture cured hot melt adhesive used to bond two or more substrates together forming a polyurethane according to the inventor and persons of average skill in the art. Applicants respectfully submit Examiner has not met his burden of establishing *prima facie* case of obviousness by pointing out a reasonable motivation for any one of skill in the art to use the teaching or suggestion within Jacobs to use components of water containing polyurethane dispersion and use them as components in Applicants hot melt adhesive that does not contain water. With all respect, Examiner has not met such a monumental burden of showing evidence of the motivation to combine all the references of record he asserts. Applicants submits the invention as presented in claim 4 is patentable over Jacobs and the four other references of record.

In summary, the inventor of the pending application and a person of more than average skill in the art, is puzzled why the Examiner would cite Jacobs. The inventor is more than willing to proffer an affidavit pursuant to 37 C. F. R. §1.132 to go into detail why there is no motivation within Jacobs to use components of water containing polyurethane dispersion and use them as components in Applicants hot melt adhesive that does not contain water. If the Examiner finds that there are some remaining issues to be resolved, Applicants would appreciate the Examiner to grant them a discussion or another interview with the inventor pursuant to 37 C. F. R. §1.133, to clarify any issues and to place the Application in better condition for allowance. Please charge any fees associated with this response to Deposit Account No. 18-1850.

Respectfully submitted,



Dr. Stephen E. Johnson
Attorney/Agent for Applicants
Reg. No. 45,916
Telephone: (215) 619-5478
Facsimile: (215) 619-1654

Rohm and Haas Company
100 Independence Mall West
Philadelphia, PA 19106-2399
November 30, 2005